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**Resolve, Directing the Department of Labor and the Department of Health and Human Services To Establish a Work Group To Clarify the Working Status of Respite Care and Shared Living Residential Service Providers for Individuals with Developmental Disabilities**

**Sec. 1 Work group established. Resolved:** That the Commissioner of Labor and the Commissioner of Health and Human Services, within existing resources, shall establish a work group, referred to in this resolve as "the work group," to review the status of certain direct support providers with respect to certain laws, such as those governing unemployment compensation, workers' compensation and minimum wage. The commissioners shall invite the participation of representatives from each department and representatives from affected organizations including the Workers' Compensation Board, the Maine State Employees Association and the Maine Association of Community Service Providers and its members; and be it further

**Sec. 2 Examine working status of providers. Resolved:** That the work group shall examine the services and tasks performed by respite care and shared living residential service providers for adults and children with developmental disabilities to determine if there are ways to clearly identify the working status of those providers. The work group shall also examine whether statutory or regulatory actions are needed to provide clarification of the providers' status; and be it further

**Sec. 3 Reporting date established. Resolved:** That the Commissioner of Labor and the Commissioner of Health and Human Services shall report the work group's findings and any recommendations to the Joint Standing Committee on Labor by December 15, 2009, along with any statutory changes required to clarify the status of respite care and shared living residential service providers; and be it further

**Sec. 4 Authority to introduce legislation. Resolved:** That the Joint Standing Committee on Labor may submit legislation to the Second Regular Session of the 124th Legislature to implement the recommendations of the work group.